

By Senator Simpson:

Amend by striking out the words "or the carnal knowledge of a woman other than the wife of the person having such carnal knowledge with or without the consent," in lines 6, 7, and 8.

Senator Greer moved a call of the Senate on the bill and pending amendment, which was duly seconded and ordered, the following answering to their names:

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.

Absent, excused.

Woods.

Absent, not excused.

McComb.

Presler.

Senator Rogers moved to excuse the absentees.

Excused by the following vote:

Yeas—19.

Agnew.	Harrison.
Atlee.	Lawhon.
Beall.	McKinney.
Boren.	Rogers.
Bowser.	Sherrill.
Crowley.	Smith.
Darwin.	Stafford.
Dean.	Steele.
Dickson.	Whitaker.
Gage.	

Nays—9.

Bailey.	Lewis.
Colquitt.	Shelburne.
Dibrell.	Simpson.
Goss.	Tips.
Greer.	

Absent, excused.

Woods.

Absent, not excused.

McComb.

Presler.

Senator Simpson's amendment was then lost by the following vote:

Yeas—8.

Agnew.	Greer.
Bailey.	Shelburne.
Dibrell.	Simpson.
Goss.	Tips.

Nays—18.

Atlee.	Harrison.
Beall.	Lawhon.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Rogers.
Crowley.	Sherrill.
Darwin.	Smith.
Dean.	Stafford.
Dickson.	Steele.
Gage.	Whitaker.

Present, not voting

Lewis.

Absent—excused.

Woods.

Absent, not excused.

Presler.

Senator Simpson moved that the Senate stand adjourned until 10 o'clock tomorrow morning.

Adjourned by the following vote:

Yeas—15.

Agnew.	Lewis.
Atlee.	McComb.
Bailey.	Shelburne.
Colquitt.	Simpson.
Dibrell.	Steele.
Goss.	Tips.
Greer.	Whitaker.
Lawhon.	

Nays—14.

Beall.	Gage.
Boren.	Harrison.
Bowser.	McKinney.
Crowley.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dickson.	Stafford.

Absent, excused.

Woods.

Absent, not excused.

Presler.

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas, Feb. 8, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Goss.	Tips.
Greer.	Whitaker.

Absent—excused.

Woods.

Absent—not excused.

Crowley.

Presler.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Whitaker, the same was suspended.

On motion of Senator Bailey, Engrossing Clerk Linn was excused for non-attendance on last Monday, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Lawhon:

Petition of citizens of Wilson county, asking to have the county exempted from the operation of the inspection law.

Read and referred to the Committee on Stock and Stockraising.

By Senator Stafford:

Petition from citizens of Upshur county, protesting against the passage of House bill No. 90, providing for the transfer of the counties of Upshur, Smith and Gregg to the First Supreme Judicial District, etc.

Read and referred to the Committee on Judicial Districts.

By Senator Dean:

Petition from citizens on or near the frontier of Texas, praying for the maintenance and support of the ranger force.

Read and referred to the Committee on Finance.

By Senator Beall:

Petition from commissioners court of Concho county, asking validation of transfer of original record books from one county to another.

Read and referred to the Committee on State Affairs.

By Senator Tips:

Petition from citizens of Burnet county, praying that taxation on fire insurance be increased.

Read and referred to the Committee on Finance.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 7, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Counties and County Boundaries, to whom was referred

Senate bill No. 97, being a bill to be entitled "An act to create the county of Alamo out of part of Brazoria county, and to provide for its organization,"

Have had the same under consideration, and I am instructed by a majority of the committee to report the same back to the Senate with the recommendation that it do not pass.

GREER, Chairman.

Committee Room.

Austin, Texas, February 7, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 173, being a bill to be entitled "An act to make it a penal offense for any person in this State to unlawfully sow, scatter or place on lands not his own, the seed or roots of Johnson grass, or the seed or roots of any other vegetation which will make such land unsuitable for the cultivation of cotton or of corn or any other grain, or which will make the cultivation of such land in such crops more difficult, or which will impair or diminish the value

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of such land for the cultivation of such crops as are usually grown thereon, to prescribe the punishment therefor, and to prescribe the procedure in prosecution in such cases,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend caption by striking out all after the word "Johnson grass" down to the words "to prescribe."

Amend section 1, as follows: First, by striking out the words "cocoa, Russian thistle or Burmuda grass." Second, by striking out the words "felony or." Third, by striking out the words "in the discretion of the jury." Fourth, by striking out the words "confinement in the penitentiary for any period not less than two nor more than ten years, or." Fifth, by striking out the words "one hundred" and insert "twenty-five."

AGNEW, Chairman.

Committee Room,

Austin, Texas, February 7, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on State Affairs, to whom was referred

House bill No. 251, entitled "An act to make and constitute the Treasurer of the State of Texas the custodian of all bonds held by the State of Texas under the provisions of an act of the Legislature of the State of Texas, approved March 24, 1885, and also an act of the Legislature of the State of Texas approved February 1, 1889, and to define his duties in relation thereto,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SIMPSON, Chairman.

Committee Room.

Austin, Texas, February 7, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Constitutional Amendments, to whom was referred

Senate joint resolution No. 8, to call a constitutional convention,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room.

Austin, Texas, February 7, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Commerce and Manufactures, to whom was referred

Joint resolution No. 2, being a "Joint resolution to amend article 8 of the Constitution of the State of Texas by adding to said article an additional section to be numbered 22, looking to the encouragement of manufactories in Texas,"

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it be referred to the Committee on Constitutional Amendments.

BOWSER, Chairman.

Committee Room,
Austin, Texas, Feb. 7, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your special committee appointed to act with a like committee from the House to consider the advisability of redistricting the State into judicial districts, have attended to that duty and beg to report as follows:

After consulting the Governor through a sub-committee and discussing the matter in joint committee, it was decided and agreed that it was the sense of the committee that this Legislature should undertake the work of redistricting the State into judicial districts. It was further decided and agreed that the committee recommend to the Senate and House that a joint committee of thirteen, composed of five Senators and eight Representatives, be appointed by the presiding officers of their respective houses, whose duty it shall be to prepare and report a bill redistricting the State into judicial districts.

All of which is respectfully submitted.

ATLEE,
SHERRILL,
SHELBURNE,
STAFFORD,
GAGE,

On part of Senate.

TOWNSEND of Angelina,
DASHIELL,
MONROE,
ANDREWS,
W. F. MOORE,
MORRISON,
FLOYD,
GIDDINGS,

On motion of Senator Atlee the same was adopted.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, Feb 8, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bill, to-wit:

House bill No. 111, "An act to repeal chapter 100, General Laws of the regular session of the Twenty-second Legislature of the State of Texas, entitled 'An act to protect stockraisers, farmers and horticulturists, providing for the destruction of wolves and other wild animals,' and to revive chapter 119, of the Twentieth Legislature, entitled 'An act to protect stockraisers, providing for the destruction of wolves and other wild animals.'" Passed by two-thirds vote—ayes 101, nays 4.

Respectfully,
CHESTER HAILE, Chief Clerk.

Senator McComb moved to recommit Senate bill No. 97, being a bill entitled "An act to create the county of Alamo out of part of Brazoria county, and for its organization," to Committee on Counties and County Boundaries.

Recommended.

IN SENATE.

House bill No. 383, "An act providing for the assessment of national bank notes and United States treasury notes."

Read first time and referred to the Committee on Finance.

Committee substitute for House bill No. 211, "An act to extend for the period of two years the time in which purchasers of timber on school lands in this State may remove the timber from said lands."

Read first time and referred to the Committee on Public Lands.

BILLS AND RESOLUTIONS.

By Senator Rogers:

A bill to be entitled "An act to require street car companies in this State to provide closed cars for passengers during certain months, and to prohibit the use of open cars during such time, and to provide penalties for the violation of this act."

Read first time and referred to Committee on Internal Improvements.

By Senator Tips:

A bill to be entitled "An act to provide for the organization of public warehouses, and to regulate the warehousing of cotton, grain, and all other kinds of products and all kinds of goods and mercantile commodities, and to define the ownership thereof."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Bowser:

A bill entitled "An act to amend section 1 of an act entitled 'An act to amend section 46, chapter 25 of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers,' approved April 22, 1879, and amended April 4, 1881, and April 12, 1880, and March 27, 1887, and March 29, 1889, and amended March 23, 1891, April 15, 1891, March 29, 1893, and May 11, 1893."

Read first time and referred to Committee on Stock and Stockraising.

By Senator Beall:

A bill to be entitled "An act to validate the transfer of original record books from one county to another and the titles to lands therein recorded."

Read first time and referred to Committee on Public Lands.

By Senator Atlee:

A bill to be entitled "An act to provide for the redemption and to extend the time within which lands that have been sold for taxes and bought in by the State may be redeemed."

Read first time and referred to Committee on Public Lands.

By Senator Atlee:

A bill to be entitled "An act to authorize payment of all just claims against the State incurred in enforcing the quarantine laws accruing under the administration of Governor Ross, in the years 1890 and 1891."

Read first time and referred to Committee on Claims and Accounts.

By Senator Colquitt (by request):

A bill to be entitled "An act to amend article 534, chapter 7, of the Penal Code of the State of Texas, defining the punishment for rape."

Read first time and referred to Judiciary Committee No. 2.

By Senator Lewis:

A bill to be entitled "An act to amend article 2000, chapter 18, title 37, of the Revised Civil Statutes of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Shelburne:

A bill to be entitled "An act to incorporate the city of Houston and grant a new charter to the said city of Houston."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Sherrill:

"An act to amend sections 26, 26a and 26b of an act of the Twenty-third Legislature entitled 'An act to provide for a more efficient system of public free schools for the State of Texas, etc.,' approved May 20, A. D. 1893, the same being chapter 122 of the General Laws enacted by the Twenty-third Legislature of the State of Texas."

Read and referred to the Committee on Education.

By Senator Gage:

A bill to be entitled "An act to amend article 2109, title 37, chapter 25 of the Revised Civil Statutes of Texas, relating to the appointment of commissioners for the partition and distribution of estates."

Read first time and referred to Judiciary Committee No. 1.

By Senator Gage:

A bill to be entitled "An act to amend article 2126, title 37, chapter 25, of the Revised Civil Statutes of Texas, relating to the partition and distribution of estates."

Read first time and referred to Judiciary Committee No. 1.

By Senator Simpson:

A bill to be entitled "An act to amend article 512, chapter 4, title 15, of the Penal Code of the State of Texas, referring to maiming, disfiguring and castration."

Read first time and referred to Judiciary Committee No. 2.

Senator Beall entered a motion to reconsider the vote by which the amendment to Senate bill No. 59, being a bill to be entitled "An act to amend article 528, title 15, chapter 7, of the Penal Code of the State of Texas," to-wit: "Amend line 14, article 528, by striking out the word 'fourteen' and inserting

in lieu thereof the word 'sixteen,' was adopted.

Senator Stafford asked the unanimous consent of the Senate to call up

Substitute House bill No. 99, being a bill to be entitled "An act to take the counties of Smith, Gregg and Upshur out of the Fifth Supreme Judicial District and place the same in the First Supreme Judicial District," on third reading.

Granted.

By Stafford:

Amend by striking out the word "Upshur," in the caption and in section 1, line 2.

Adopted by the following vote:

Yeas—25.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McKinney.
Beall.	Rogers.
Bowser.	Shelburne.
Colquitt.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Gage.	Steele.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	

Nays—None.

Absent, excused.

Woods.

Absent, not excused.

Boren.	McComb.
Crowley.	Presler.
Dickson.	

Bill read third line and passed by the following vote:

Yeas—28.

Agnew.	Lawhon.
Atlee.	Lewis.
Bailey.	McComb.
Beall.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Goss.	Tips.
Greer.	Whitaker.
Harrison.	

Nays—None.

Absent, excused.

Woods.

Absent, not excused.

Boren.	Presler.
Crowley.	

Senator Steele asked the unanimous consent of the Senate to call up

House bill No. 147, being a bill to be entitled "An act to amend section 58, chapter 51, of an act entitled 'An act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin,

Delta, Harrison, Panola, Upshur, Shelby and Smith, and auxiliary thereto to provide for the appointment of road overseers, to define the power and jurisdiction of the commissioners courts of said counties with regard thereto; to utilize the labor of defaulting poll tax payers on the public roads of said counties; and to provide adequate penalties for the violation of the provisions of this act, as passed by the Twenty-third Legislature, and approved April 19, 1893, and to add thereto section 57.

Granted.

Bill read second time with committee amendments.

Committee amendments adopted and bill passed to third reading.

On motion of Senator Steele, the constitutional rule requiring bills to be read on three several days was suspended, and the bill was put upon its third reading and final passage by the following vote:

Yeas—27.

Agnew.	Greer.
Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Rogers.
Crowley.	Shelburne.
Darwin.	Sherrill.
Dean.	Simpson.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Whitaker.
Goss.	

Nays—2.

Smith. Tips.

Absent—excused.

Woods.

Absent—not excused.

Presler.

Bill read third time and passed by the following vote:

Yeas—29.

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Greer.	

Nays—None.

Absent, excused.

Woods.

Absent, not excused.

Presler.

SPECIAL ORDER.

The Chair laid before the Senate,

Senate bill No. 15, being a bill to be entitled "An act to provide for the creation of life and accident insurance companies in this State, and for the regulation thereof, and to repeal all laws or parts of laws in conflict therewith."

Senator Beall moved to suspend the regular order of business and take up

Senate bill No. 59, being a bill to be entitled "An act to amend article 528, title 15, chapter 7, of the Penal Code of the State of Texas."

Suspended by the following vote:

Yeas—18.

Atlee.	Lawhon.
Beall.	Lewis.
Colquitt.	McComb.
Crowley.	McKinney.
Darwin.	Rogers.
Dean.	Sherrill.
Dickson.	Smith.
Gage.	Steele.
Harrison.	Whitaker.

Nays—9.

Agnew.	Shelburne.
Bailey.	Simpson.
Dibrell.	Stafford.
Goss.	Tips.
Greer.	

Absent—excused.

Woods.

Absent—not excused.

Boren.

Presler.

Bowser.

Senator Beall then called up his motion to reconsider the vote by which his amendment to said bill, to wit: "Amend line 14, article 528, by striking out the word 'fourteen' and inserting in lieu thereof the word 'sixteen,'" was adopted.

Reconsidered.

Action being on the adoption of the above amendment,

Senator Colquitt offered to amend the same as follows:

Amend the amendment by striking out "sixteen" and inserting "fifteen."

By Senator Goss:

Substitute the amendment, and amendment thereto by striking out all after the word "diseased," in line 13, and inserting the following, "or the carnal knowledge of a female under the age of fourteen years, with or without her consent, or with or without the use of force, threats or fraud; or the carnal knowledge of a female under the age of sixteen years, with or without her consent, or with or without the use of force, threats or fraud by a male over the age of twenty-one years."

Lost by the following vote:

Yeas—10.

Agnew.	Lewis.
Bailey.	Shelburne.
Dibrell.	Simpson.
Goss.	Tips.
Greer.	Whitaker.

Nays—19.

Atlee.	Harrison.
Beall.	Lawhon.

Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Rogers.
Crowley.	Sherrill.
Darwin.	Smith.
Dean.	Stafford.
Dickson.	Steele.
Gage.	

Absent—excused.

Woods.

Absent, not excused.

Presler.

Senator Smith moved the previous question on the bill and amendment, which was duly seconded, and lost by the following vote:

Yeas—10.

Beall.	McComb.
Crowley.	McKinney.
Darwin.	Rogers.
Gage.	Smith.
Harrison.	Stafford.

Nays—18.

Agnew.	Greer.
Atlee.	Lawhon.
Bailey.	Lewis.
Boren.	Shelburne.
Colquitt.	Sherrill.
Dean.	Simpson.
Dibrell.	Steele.
Dickson.	Tips.
Goss.	Whitaker.

Absent—excused.

Woods.

Absent—not excused.

Bowser,

Presler.

Pending action,

Senator Simpson moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Greer,	

Absent, excused.

Woods.

Absent—not excused.

Presler.

Senator Steele moved to excuse the absentees.

Excused by the following vote:

Yeas—20.

Atlee.	Harrison.
Beall.	Lawhon.
Boren.	Lewis.
Bowser.	McComb.
Colquitt.	McKinney.
Crowley.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dickson.	Stafford.
Gage.	Steele.

Nays—9.

Agnew.	Shelburne.
Bailey.	Simpson.
Dibrell.	Tips.
Goss.	Whitaker.
Greer.	

Absent, excused.

Woods.

Absent, not excused.

Presler.

Senator Colquitt's amendment (striking out 16 and inserting 15) to the amendment (Beall's) was adopted by the following vote:

Yeas—20.

Atlee.	Harrison.
Beall.	Lawhon.
Boren.	Lewis.
Bowser.	McComb.
Colquitt.	McKinney.
Crowley.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dickson.	Stafford.
Gage.	Steele.

Nays—9.

Agnew.	Shelburne.
Bailey.	Simpson.
Dibrell.	Tips.
Goss.	Whitaker.
Greer.	

Absent, excused.

Woods.

Absent, not excused.

Presler.

Pending action on the amendment as amended,

Senator Whitaker moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	Lewis.
Beall.	McComb.
Boren.	McKinney.
Bowser.	Rogers.
Colquitt.	Shelburne.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dibrell.	Stafford.
Dickson.	Steele.
Gage.	Tips.
Goss.	Whitaker.
Greer.	

Absent, excused.

Woods.

Absent, not excused.

Presler.

Senator Sherrill moved to excuse the absentees.

Excused by the following vote:

Yeas—19.

Atlee.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Harrison.	

Nays—9.
 Agnew. Shelburne.
 Bailey. Simpson.
 Dibrell. Tips.
 Goss. Whitaker.
 Greer.
 Woods. Absent, excused.
 Crowley. Absent—not excused.
Presler.

Senator Simpson moved to take a recess until 12 m.
 Lost by the following vote:

Yeas—8.
 Agnew. Greer.
 Bailey. Shelburne.
 Dibrell. Simpson.
 Goss. Tips.

Nays—20.
 Atlee. Harrison.
 Beall. Lawhon.
 Boren. Lewis.
 Bowser. McComb.
 Colquitt. McKinney.
 Crowley. Rogers.
 Darwin. Sherrill.
 Dean. Smith.
 Dickson. Stafford.
 Gage. Steele.
 Woods. Absent, excused.
 Presler. Absent, not excused.
 Whitaker.

Senator Simpson then moved to adjourn till Monday 10 a. m.

Senator Goss moved that when the Senate do adjourn, it adjourn to tomorrow 10 a. m.

The latter motion having precedence, was lost by the following vote:

Yeas—7.
 Atlee. McKinney.
 Dibrell. Rogers.
 Gage. Tips.
 Lawhon.

Nays—20.
 Agnew. Greer.
 Bailey. Harrison.
 Beall. Lewis.
 Boren. McComb.
 Colquitt. Shelburne.
 Crowley. Sherrill.
 Darwin. Simpson.
 Dean. Smith.
 Dickson. Stafford.
 Goss. Steele.
 Woods. Absent, excused.
 Absent, not excused.
 Bowser. Whitaker.
 Presler.

The Senate then refused to adjourn to Monday 10 a. m. by the following vote:

Yeas—5.
 Dibrell. Shelburne.
 Goss. Simpson.
 Greer.

Nays—23.
 Agnew. Beall.
 Atlee. Boren.
 Bailey. Bowser.

Colquitt. McComb.
 Crowley. McKinney.
 Darwin. Rogers.
 Dean. Sherrill.
 Dickson. Smith.
 Gage. Stafford.
 Harrison. Steele.
 Lawhon. Tips.
 Lewis.

Woods. Absent—excused.
 Absent—not excused.
 Presler. Whitaker.

Senator Beall moved the previous question on the bill and pending amendment, which was duly seconded, and prevailed by the following vote:

Yeas—20.
 Atlee. Harrison.
 Beall. Lawhon.
 Boren. Lewis.
 Bowser. McComb.
 Colquitt. McKinney.
 Crowley. Rogers.
 Darwin. Sherrill.
 Dean. Smith.
 Dickson. Stafford.
 Gage. Steele.

Nays—8.
 Agnew. Greer.
 Bailey. Shelburne.
 Dibrell. Simpson.
 Goss. Tips.
 Woods. Absent, excused.

Presler. Absent, not excused.
 Whitaker.

Action being on the pending amendment (Senator Beall's, as amended), Senator Simpson moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew. Harrison.
 Atlee. Lawhon.
 Bailey. Lewis.
 Beall. McComb.
 Boren. McKinney.
 Colquitt. Rogers.
 Crowley. Shelburne.
 Darwin. Sherrill.
 Dean. Simpson.
 Dibrell. Smith.
 Dickson. Stafford.
 Gage. Steele.
 Goss. Tips.
 Greer.

Woods. Absent, excused.
 Absent, not excused.
 Bowser. Whitaker.
 Presler.

The Chair announced the following joint committee on the part of the Senate relative to redistricting the State: Senators Atlee, Greer, Rogers, Sherrill and Gage.

Senator Steele moved to excuse the absentees.

Senator Smith made the point of order.

that when the Senate was acting under the previous question and a quorum was present, a call of the Senate was not in order, therefore a motion to excuse was unnecessary.

Sustained.

Action being taken on Senator Beall's amendment as amended, same was adopted by the following vote:

Yeas—19.

Atlee.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Colquitt.	McKinney.
Crowley.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Harrison.	

Nays—6.

Agnew.	Goss.
Bailey.	Greer.
Dibrell.	Tips.

Absent, excused.

Woods.

Absent—not excused.

Bowser.	Simpson.
Presler.	Whitaker.
Shelburne.	

The bill was then ordered engrossed by the following vote:

Yeas—23.

Atlee.	Harrison.
Bailey.	Lawhon.
Beall.	Lewis.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Rogers.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dickson.	Stafford.
Gage.	Steele.
Greer.	

Nays—4.

Agnew.	Goss.
Dibrell.	Tips.

Absent, excused.

Woods.

Absent, not excused.

Presler.	Whitaker.
Shelburne.	

Senator Greer entered a motion to reconsider the vote by which the bill was ordered engrossed.

Senator Steele called up the motion to reconsider, and moved to lay it on the table.

Senator Goss moved a call of the Senate, which was ordered, the following Senators answering to their names:

Agnew.	Darwin.
Atlee.	Dean.
Bailey.	Dibrell.
Beall.	Dickson.
Boren.	Gage.
Bowser.	Goss.
Colquitt.	Greer.
Crowley.	Harrison.

Lawhon.	Sherrill.
Lewis.	Simpson.
McComb.	Smith.
McKinney.	Stafford.
Rogers.	Steele.
Shelburne.	Tips.

Absent, excused.

Woods.

Absent—not excused.

Presler.

Whitaker.

Senator Sherrill moved to excuse the absentees.

Excused by the following vote:

Yeas—18.

Atlee.	Gage.
Beall.	Harrison.
Boren.	Lawhon.
Bowser.	McComb.
Colquitt.	McKinney.
Crowley.	Rogers.
Darwin.	Sherrill.
Dean.	Smith.
Dickson.	Steele.

Nays—9.

Agnew.	Lewis.
Bailey.	Shelburne.
Dibrell.	Simpson.
Goss.	Tips.
Greer.	

Absent, excused.

Woods.

Absent, not excused.

Presler.

Whitaker.

Senator Goss moved to take a recess until 12 m.

Lost by the following vote:

Yeas—10.

Agnew.	Lewis.
Bailey.	Shelburne.
Dibrell.	Simpson.
Goss.	Tips.
Greer.	Whitaker.

Nays—19.

Atlee.	Harrison.
Beall.	Lawhon.
Boren.	McComb.
Bowser.	McKinney.
Colquitt.	Rogers.
Crowley.	Sherrill.
Darwin.	Smith.
Dean.	Stafford.
Dickson.	Steele.
Gage.	

Absent, excused.

Woods.

Absent, not excused.

Presler.

Senator Beall moved the previous question on the motion to reconsider and the motion to table same, which was duly seconded, and prevailed by the following vote:

Yeas—19.

Atlee.	Crowley.
Beall.	Darwin.
Boren.	Dean.
Bowser.	Dickson.
Colquitt.	Gage.

Harrison.
Lawhon.
McComb.
McKinney.
Rogers.

Sherrill.
Smith.
Stafford.
Steele.

Nays—9.

Agnew.
Bailey.
Dibrell.
Goss.
Greer.

Lewis.
Shelburne.
Simpson.
Tips.

Absent, excused.

Woods.

Absent, not excused.

Presler.

Whitaker.

Pending action, Senator Bailey moved to adjourn to 9:30 a. m. tomorrow.

Senator Steele made the point of order that pending action under the previous question, a motion to adjourn was not in order.

Sustained.

Senator Goss appealed from the decision of the Chair.

Senator Beall made the point of order that the Senate having ordered the previous question, an appeal was out of order.

Sustained.

Action being taken on the motion to table, there was no quorum, the following voting:

Yeas—18.

Atlee.
Beall.
Boren.
Bowser.
Colquitt.
Darwin.
Dean.
Dickson.
Gage.

Harrison.
Lawhon.
McComb.
McKinney.
Rogers.
Sherrill.
Smith.
Stafford.
Steele.

Nays—1.

Dibrell.

Present, not voting.

Agnew.
Bailey.
Crowley.
Goss.
Greer.

Lewis.
Shelburne.
Simpson.
Tips.

Absent—excused.

Woods.

Absent—not excused.

Presler.

Whitaker.

Pending a call of the Senate, The Chair announced that the hour fixed on yesterday for the Senate to go into executive session had arrived, and the Senate accordingly went into executive session.

AFTER EXECUTIVE SESSION.

In executive session the following confirmations were had:

Managers of the Orphans' Home at Corsicana: Jink Evans, W. D. Johnson and G. M. Westbrook, all of Navarro county.

Regents of the University of Texas:

Thomas S. Henderson of Milam county, vice Amory R. Starr, resigned.

By consent, the following bill was offered:

By Senator Lawhon:

A bill to be entitled "An act to amend an act to encourage stockraising and protect stockraisers, so as exempt Wilson county from the operation of said act."

Read first time and referred to Committee on Stock and Stockraising.

Senator Sherrill moved to reconsider the vote by which the joint committee report providing for joint committee to prepare a bill redistricting the State was adopted this morning.

Reconsidered.

Senator Sherrill then moved to amend the same by inserting thirteen members of the House and seven members of the Senate, in place of eight and five respectively.

Adopted.

On motion of Senator Sherrill, the same as amended was then adopted.

On motion of Senator Greer,

Senate bill No. 101, being a bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other and those dealing with them, or either of them, and to prescribe a rule of evidence as to such relationship and to further prescribe their duties and liabilities," was recommended to Judiciary Committee No. 2.

Senator Lewis moved to adjourn to 10 a. m. tomorrow.

Senator Simpson moved to adjourn to 10 a. m. Monday.

Lost by vote:

Yeas—11.

Agnew.
Colquitt.
Crowley.
Dean.
Dibrell.
Dickson.

Greer.
Lewis.
Shelburne.
Simpson.
Stafford.

Nays—15.

Atlee.
Beall.
Boren.
Bowser.
Darwin.
Gage.
Harrison.
Lawhon.

McComb.
McKinney.
Rogers.
Sherrill.
Smith.
Steele.
Tips.

Absent—excused.

Woods.

Absent—not excused.

Bailey.
Goss.

Presler.
Whitaker.

The Senate then adjourned to 10 a. m. tomorrow, by the following vote:

Yeas—16.

Agnew.
Colquitt.
Crowley.
Dean.
Dibrell.
Gage.
Greer.
Harrison.

Lawhon.
Lewis.
McKinney.
Shelburne.
Sherrill.
Simpson.
Smith.
Tips.

Nays—10.

Atlee.	Dickson.
Beall.	McComb.
Boren.	Rogers.
Bowser.	Stafford.
Darwin.	Steele.
	Absent—excused.
Woods.	
	Absent, not excused.
Bailey.	Presler.
Goss.	Whitaker.

TWENTY-NINTH DAY.

Senate Chamber,
Austin, Texas, Feb. 9, 1895.

Senate met pursuant to adjournment.
Lieutenant Governor Jester in the
Chair.

Roll called. Quorum present, the fol-
lowing Senators answering to their names:

Agnew.	Harrison.
Atlee.	Lawhon.
Bailey.	McComb.
Beall.	McKinney.
Boren.	Presler.
Bowser.	Rogers.
Colquitt.	Shelburne.
Crowley.	Sherrill.
Darwin.	Simpson.
Dean.	Smith.
Dickson.	Steele.
Gage.	Tips.
Greer.	Whitaker.

Absent, excused.

Woods.

Absent, not excused.

Dibrell.	Lewis.
Goss.	Stafford.

Prayer by the Chaplain, Dr. Smoot.

Pending reading of the Journal of yes-
terday,

On motion of Senator Whitaker, the
same was suspended.

On motion of Senator Boren, Assistant
Journal Clerk Thweatt was excused for
today on account of sickness in his fam-
ily.

On motion of Senator Greer, Senator
Dibrell was excused indefinitely, having
been called home by a telegram.

On motion of Senator Sherrill, Senator
Goss was excused indefinitely on ac-
count of sickness in his family.

On motion of Senator Dean, Senator
Stafford was excused from attendance
on today on account of important busi-
ness.

On motion of Senator Greer, Senator
Presler was excused for non-attendance
from Friday of last week to today, on
account of important business.

PETITIONS AND MEMORIALS.

By Senator Tips:

Petition from 83 ladies of Taylor, Wil-
liamson county, praying for the age of
consent be raised to 18 years.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Feb. 9, 1895.

Hon. Geo. T. Jester, President of the
Senate:

Your Judiciary Committee No. 1, to
whom was referred

Senate bill No. 68, being a bill to be
entitled "An act to amend articles 4668e,
4671, 4684 and 4710, chapters 1, 2 and
3, title 95 of the Revised Civil Statutes
of Texas, relating to the levy and pay-
ment of taxes,"

Have had the same under consideration,
and I am instructed to report the same
back to the Senate with the recommenda-
tion that it do pass with the following
amendments, to-wit:

COMMITTEE AMENDMENTS.

First. Amend by striking out articles
4668e and 4671.

Second. Amend by striking out all
after article 4684 and insert the follow-
ing: "Article 4684. Rendition by ban-
ker, broker, etc. Every bank, whether of
issue or deposit, banker, broker, dealer in
exchange or stock, jobber, shall at the
time fixed by this chapter for listing per-
sonal property, make out and furnish
the assessor of taxes a sworn state-
ment showing:

First. If a national bank, the president
or some other officer of the bank shall
furnish to the assessor of the county in
which such bank is located a list of the
names of all the shareholders of the stock,
together with the number and amount
of the shares of each shareholder of
stock in said bank; and the shareholders
of the stocks in national banks shall ren-
der to the tax assessors of the county
in which said bank is located the number
of their shares and the true and full
value thereof. All shares of stocks
in national banks not rendered to the as-
sessor of taxes in the county where such
bank is located within the time prescribed
by law for listing property for taxes, shall
be assessed by the assessor against the
owner or owners thereof as unrendered
property is assessed; but the tax roll
shall show the name of the owner or
owners thereof as per statement furnished
by the president or other officials of said
bank.

Second. National banks shall render
all other bonds and stocks of every kind
(except United States bonds) and all
shares of capital stocks or joint stock
or stocks of other companies or cor-
porations held as an investment or in
any way representing assets, together
with all other personal property belong-
ing or pertaining to said bank, except
such personal property as is specially ex-
empted from taxation by the laws of the
United States.

Third. National banks shall be re-
quired to render all other real estate
as other real estate is rendered, and
all the personal property of said national
banks herein taxed shall be valued as
other personal property is valued.